

Court Procedures Manual

Documents Filed on Disk or Paper

Electronic Filing is mandatory in the Bankruptcy Court for the Western District of Pennsylvania pursuant to Interim Local Rule 5005-1.

The Clerk shall accept documents filed on disk in a Portable Document Format (PDF). Submission of documents on disk or scanned in the Clerk's Office constitutes filing of the document for all purposes of the Federal Rules of Bankruptcy Procedure and the Local Rules of this Court. The Clerk shall make a document scanner available in the Clerk's Office. Paper documents prepared or submitted for filing by attorneys must be scanned by an attorney or his agent (the "filing attorney") at the Clerk's Office.

Documents that require original signatures must be maintained in paper form by the filing party until six (6) years after all time periods for appeals expire and all appeals have been concluded. On request of the Court or party in interest, the filing party must provide the original documents for review. Failure to maintain documents for the specified period shall subject the Filing User to sanctions including, without limitation, disgorgement of fees. This requirement also applies to any document for which statute, rule, or court order requires an original signature.

The Clerk shall transfer documents submitted by disk or scanned by the filing attorney into the CM/ECF system and make a corresponding docket entry. The date of filing shall be the date the disk or scanned document is received by the Clerk. The official record is the electronic recording of the document as stored on the CM/ECF system. The Clerk shall discard the disk.

Exhibits and other attachments to pleadings shall not exceed ten pages in length. Exhibits attached to the following pleadings are not subject to the ten page limitation: Application for Compensation and Reimbursement, Trustee's Final Report and Account, Plan of Reorganization, and Disclosure Statement. A summary not exceeding ten pages may be filed for exhibits and attachments. In lieu of the summary or in lieu of the entire document, a one page Document and Loan History Abstract conforming to Local Form No. 25 shall be filed. All abstracts, exhibits and exhibit summaries must be filed as separate documents. The party filing a pleading containing a summary of an exhibit or the Document and Loan History Abstract shall have a paper copy of the entire document at any hearing that is reasonably expected to pertain to the pleading. The party filing a pleading containing a summary or abstract shall, upon request of any party in interest, provide a copy of the entire exhibit.

Filing Attorneys shall comply with the Clerk's Procedures for Scanning Documents. Bankruptcy petitions scanned at the Clerk's Office shall be accompanied by a mailing matrix on disk that complies with the Clerk's Special Requirements for Mailing Matrixes.

Documents on disks must be filed in a Portable Document Format (PDF). Documents must be filed in a format that allows the Court to perform a full text search, except that documents received by the filing party from an outside source may be scanned into a PDF format and filed as a document that will not be fully text searchable. For example, a motion drafted by the filing attorney must be fully text searchable, but attachments to the motion such as mortgages, deeds, and other supporting documentation provided to the attorney by his client may be scanned.

Only matters pertaining to one bankruptcy case or adversary proceeding shall be filed on a disk. Bankruptcy petition documents on disk shall be filed on one disk as separate PDF files as follows: (A) one PDF file containing the petition together with schedules, statements, and the Attorney Fee Disclosure Statement, if any; (B) one PDF file containing the Chapter 13 Plan, if any; (C) one text file containing the names and addresses of creditors and other parties in interest filed in compliance with the Clerk's Special Requirements for Mailing Matrixes.

Documents filed on disk that require signatures must include the typed name of the signatory preceded by "/s/" in the space where the signature would otherwise appear.

When a document that requires signatures from more than one party is filed on a disk, the document bearing all the necessary signatures: (1) may be scanned; (2) may be filed in a PDF format provided that the filing user certifies that all parties whose signatures are required have consented to the document and endorsed the filing; or (3) in any other manner approved by the Court. Local Form No. 23, Certification of Counsel, must be filed with the document attached.

Orders must be filed as a separate PDF document when a motion, application, objection or other request for relief is filed on disk or scanned at the Clerk's Office.

A Certificate of Service filed as part of a motion, application, objection or other request for relief should be filed as part of the motion in one PDF document.

The signature of the debtor(s) authorizing the filing of the bankruptcy case shall be accomplished by filing an original executed paper version of the DECLARATION RE: ELECTRONIC FILING, Local Form No. 1, at the time the petition is filed. Both debtors must sign the authorization when a joint petition is filed. The petition may be dismissed if the declaration is not filed.

Submission of the bankruptcy petition, schedules and statements in accordance with this court procedure shall be deemed in compliance with the electronic case filing procedures referenced in Local Form #1.

In accordance with Local Rule 5005-3, only paper documents shall be filed when the court has approved filing the document under seal. The paper documents which have been placed under seal shall be delivered to the Clerk. The sealed documents will not be scanned into the CM/ECF system. The Clerk will retain the paper documents according to the Court's retention policy.

Court Procedures Manual

Claims

A signed proof of claim shall be filed with the Clerk. Electronic Filing of proofs of claim is prohibited at this time. Copies of supporting documents should be attached to the proof of claim. A summary should be attached when the documents are voluminous.

Effective Date

The effective date of these procedures shall be August 1, 2003.

The First Amendment to this procedure is effective September 17, 2003